

### **53-9-118 Grounds for disciplinary action.**

The board may suspend or revoke a license or registration or deny an application for a license if a person engages in:

- (1) fraud or willful misrepresentation in applying for an original license or renewal of an existing license;
- (2) using any letterhead, advertising, or other printed matter in any manner representing that the licensee is an instrumentality of the federal government, a state, or any political subdivision of a state;
- (3) using a name different from that under which the licensee is currently licensed for any advertising, solicitation, or contract to secure business unless the name is an authorized fictitious name;
- (4) impersonating, permitting, or aiding and abetting an employee or independent contractor to impersonate a peace officer or employee of the United States, any state, or a political subdivision of a state;
- (5) knowingly violating, advising, encouraging, or assisting the violation of any statute, court order, or injunction in the course of a business regulated under this chapter;
- (6) falsifying fingerprints or photographs while operating under this chapter;
- (7) conviction of a felony;
- (8) conviction of any act involving illegally using, carrying, or possessing a dangerous weapon;
- (9) conviction of any act involving moral turpitude;
- (10) conviction of any act of personal violence or force against any person or conviction of threatening to commit any act of personal violence or force against any person;
- (11) soliciting business for an attorney in return for compensation;
- (12) conviction of any act constituting dishonesty or fraud;
- (13) being placed on probation, parole, or named in an outstanding arrest warrant;
- (14) committing or permitting any employee or independent contractor to commit any act during the period when the license is expired or suspended;
- (15) willfully neglecting to render to a client services or a report as agreed between the parties and for which compensation has been paid or tendered in accordance with the agreement of the parties unless the licensee chooses to withdraw from the case and returns the funds for work not yet completed;
- (16) the unauthorized release of information acquired on behalf of a client by a licensee, or its employee or contract agent as a result of activities regulated under this chapter;
- (17) failing to cooperate with, misrepresenting to, or refusing access to business or investigative records requested by the board or an authorized representative of the bureau engaged in an official investigation pursuant to this chapter;
- (18) employing or contracting with any unlicensed or improperly licensed person or agency to conduct activities regulated under this chapter if the licensure status was known or could have been ascertained by reasonable inquiry;
- (19) permitting, authorizing, aiding, or in any way assisting an employee to conduct services as described in this chapter on an independent contractor basis and not under the authority of the licensed agency;
- (20) failure to maintain in full force and effect liability or workers' compensation insurance, or a surety bond, if applicable;
- (21) conducting private investigation services regulated by this chapter on a revoked or suspended license;
- (22) accepting employment, contracting, or in any way engaging in employment that has an adverse impact on investigations being conducted on behalf of clients;

- (23) advertising in a false, deceptive, or misleading manner;
- (24) refusing to display the identification card issued by the bureau to any person having reasonable cause to verify the validity of the license;
- (25) committing any act of unprofessional conduct;
- (26) conviction of any act of illegally obtaining or disseminating private, controlled, or protected records under Section 63G-2-801; or
- (27) any other conduct prohibited by this chapter.

Amended by Chapter 432, 2011 General Session